#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Group Art Unit: Not Yet Assigned

Kevin P. Baker et al. Examiner: Not Yet Assigned

Filed: Herewith Express Mail Label No.: EV 016 056 909 US

Thed. Helewith

For: SECRETED AND TRANSMEMBRANE December 12, 2001

POLYPEPTIDES AND NUCLEIC
ACIDS ENCODING THE SAME

#### PRELIMINARY AMENDMENT

Assistant Commissioner of Patents Washington, D.C. 20231

Serial No.: Not Yet Assigned

Sir:

## In the Specification:

Please insert the following new paragraph at page 1, line 2:

#### -- RELATED APPLICATIONS

This is a continuation application claiming priority under 35 USC §120 to US serial number 09/946,374 filed 9/4/01 which claims priority under 35 USC §120 to US serial numbers: 09/218517, filed 12/22/98, now abandoned; 09/284291, filed 4/12/99, now abandoned; 09/403297, filed 10/18/99, now abandoned; 09/872035, filed 6/1/01; 09/882636, filed 6/14/01; and which claims priority under 35 USC §120 to PCT international application numbers:PCT/US99/00106, filed 1/5/99, now abandoned; PCT/US99/20111, filed 9/1/99; PCT/US99/21194, filed 9/15/99; PCT/US99/28313, filed 11/30/99; PCT/US99/28551, filed 12/2/99; PCT/US99/30095, filed 12/16/99; PCT/US00/00219, filed 1/5/00; PCT/US00/00376, filed 1/6/00; PCT/US00/03565, filed 2/11/00; PCT/US00/04342, filed 2/18/00, now abandoned; PCT/US00/05004, filed 2/24/00; PCT/US00/05841, filed 3/2/00; PCT/US00/06884, filed 3/15/00; PCT/US00/13705, filed 5/17/00;

PCT/US00/14042, filed 5/22/00; PCT/US00/14941, filed 5/30/00; PCT/US00/15264, filed 6/2/00, now abandoned; PCT/US00/23328, filed 8/24/00; PCT/US00/23522, filed 8/23/00; PCT/US00/30873, filed 11/10/00; PCT/US00/30952, filed 11/8/00; PCT/US00/32678, filed 12/1/00; PCT/US01/06520, filed 2/28/01; PCT/US01/06666, filed 3/1/01; PCT/US01/17800, filed 6/1/01; PCT/US01/19692, filed 6/20/01; PCT/US01/21066, filed 6/29/01; PCT/US01/21735, filed 7/9/01; and which claims priority under 35 USC § 119 to US provisional application numbers: 60/098716, filed 9/1/98; 60/098723, filed 9/1/98; 60/098749, filed 9/1/98; 60/098750, filed 9/1/98; 60/098803, filed 9/2/98; 60/098821, filed 9/2/98; 60/098843, filed 9/2/98; 60/099536, filed 9/9/98; 60/099596, filed 9/9/98; 60/099598, filed 9/9/98; 60/099602, filed 9/9/98; 60/099642, filed 9/9/98; 60/099741, filed 9/10/98; 60/099754, filed 9/10/98; 60/099763, filed 9/10/98; 60/099792, filed 9/10/98; 60/099808, filed 9/10/98; 60/099812, filed 9/10/98; 60/099815, filed 9/10/98; 60/099816, filed 9/10/98; 60/100385, filed 9/15/98; 60/100388, filed 9/15/98; 60/100390, filed 9/15/98; 60/100584, filed 9/16/98; 60/100627, filed 9/16/98; 60/100661, filed 9/16/98; 60/100662, filed 9/16/98; 60/100664, filed 9/16/98; 60/100683, filed 9/17/98; 60/100684, filed 9/17/98; 60/100710, filed 9/17/98; 60/100711, filed 9/17/98; 60/100848, filed 9/18/98; 60/100849, filed 9/18/98; 60/100919, filed 9/17/98; 60/100930, filed 9/17/98; 60/101014, filed 9/18/98; 60/101068, filed 9/18/98; 60/101071, filed 9/18/98; 60/101279, filed 9/22/98; 60/101471, filed 9/23/98; 60/101472, filed 9/23/98; 60/101474, filed 9/23/98; 60/101475, filed 9/23/98; 60/101476, filed 9/23/98; 60/101477, filed 9/23/98; 60/101479, filed 9/23/98; 60/101738, filed 9/24/98; 60/101741, filed 9/24/98; 60/101743, filed 9/24/98; 60/101915, filed 9/24/98; 60/101916, filed 9/24/98; 60/102207, filed 9/29/98; 60/102240, filed 9/29/98; 60/102307, filed 9/29/98; 60/102330, filed 9/29/98; 60/102331, filed 9/29/98; 60/102484, filed 9/30/98; 60/102487, filed 9/30/98; 60/102570, filed 9/30/98; 60/102571, filed 9/30/98; 60/102684, filed 10/1/98; 60/102687, filed 10/1/98; 60/102965, filed 10/2/98; 60/103258, filed 10/6/98; 60/103314, filed 10/7/98; 60/103315, filed 10/7/98; 60/103328, filed10/7/98; 60/103395, filed 10/7/98; 60/103396, filed 10/7/98; 60/103401, filed 10/7/98; 60/103449, filed 10/6/98; 60/103633, filed 10/8/98; 60/103678, filed 10/8/98; 60/103679, filed 10/8/98; 60/103711, filed 10/8/98; 60/104257, filed 10/14/98; 60/104987, filed 10/20/98; 60/105000, filed 10/20/98; 60/105002, filed 10/20/98; 60/105104, filed 10/21/98; 60/105169, filed 10/22/98; 60/105266, filed 10/22/98; 60/105693, filed 10/26/98; 60/105694, filed 10/26/98; 60/105807, filed 10/27/98; 60/105881, filed 10/27/98; 60/105882, filed 10/27/98; 60/106023, filed 10/28/98; 60/106029, filed 10/28/98; 60/106030 filed 10/28/98; 60/106032, filed 10/28/98; 60/106033, filed 10/28/98; 60/106062, filed 10/27/98; 60/106178, filed 10/28/98; 60/106248, filed 10/29/98; 60/106384, filed 10/29/98; 60/108500, filed 10/29/98; 60/106464, filed 10/30/98;

60/106856, filed 11/3/98; 60/106902, filed 11/3/98; 60/106905, filed 11/3/98; 60/106919, filed 11/3/98; 60/106932, filed 11/3/98; 60/106934, filed 11/3/98; 60/107783, filed 11/10/98; 60/108775, filed 11/17/98; 60/108779, filed 11/17/98; 60/108787, filed 11/17/98; 60/108788, filed 11/17/98; 60/108801, filed 11/17/98; 60/108802, filed 11/17/98; 60/108806, filed 11/17/98; 60/108807, filed 11/17/98; 60/108848, filed 11/18/98; 60/108849, filed 11/18/98; 60/108850, filed 11/18/98; 60/108851, filed 11/18/98; 60/108852, filed 11/18/98; 60/108858, filed 11/18/98; 60/108867, filed 11/17/98; 60/108904, filed 11/18/98; 60/108925, filed 11/17/98; 60/113296, filed 12/22/98; 60/114223, filed 12/30/98; 60/129674, filed 4/16/99; 60/141037, filed 6/23/99; 60/144758, filed 7/20/99; 60/145698, filed 7/26/99; 60/162506, filed 10/29/99, the entire disclosures of which are hereby incorporated by reference.--

## In the Claims:

Please cancel Claims 1-27 without prejudice or disclaimer.

Please add new Claims 28-47 as follows.

- --28. (New) An isolated nucleic acid having at least 80% nucleic acid sequence identity to:
- (a) a nucleic acid sequence encoding the polypeptide shown in Figure 152 (SEQ ID NO:271);
- (b) a nucleic acid sequence encoding the polypeptide shown in Figure 152 (SEQ ID NO:271), lacking its associated signal peptide;
- (c) a nucleic acid sequence encoding the extracellular domain of the polypeptide shown in Figure 152 (SEQ ID NO:271);
- (d) a nucleic acid sequence encoding the extracellular domain of the polypeptide shown in Figure 152 (SEQ ID NO:271), lacking its associated signal peptide;
  - (e) the nucleic acid sequence shown in Figure 151 (SEO ID NO:270);
- (f) the full-length coding sequence of the nucleic acid sequence shown in Figure 151 (SEQ ID NO:270); or
- (g) the full-length coding sequence of the cDNA deposited under ATCC accession number 203277.

- 29. (New) The isolated nucleic acid of Claim 28 having at least 85% nucleic acid sequence identity to:
- (a) a nucleic acid sequence encoding the polypeptide shown in Figure 152 (SEQ ID NO:271);
- (b) a nucleic acid sequence encoding the polypeptide shown in Figure 152 (SEQ ID NO:271), lacking its associated signal peptide;
- (c) a nucleic acid sequence encoding the extracellular domain of the polypeptide shown in Figure 152 (SEQ ID NO:271);
- (d) a nucleic acid sequence encoding the extracellular domain of the polypeptide shown in Figure 152 (SEQ ID NO:271), lacking its associated signal peptide;
  - (e) the nucleic acid sequence shown in Figure 151 (SEQ ID NO:270);
- (f) the full-length coding sequence of the nucleic acid sequence shown in Figure 151
   (SEQ ID NO:270); or
- (g) the full-length coding sequence of the cDNA deposited under ATCC accession number 203277.
- 30. (New) The isolated nucleic acid of Claim 28 having at least 90% nucleic acid sequence identity to:
- (a) a nucleic acid sequence encoding the polypeptide shown in Figure 152 (SEQ ID NO:271);
- (b) a nucleic acid sequence encoding the polypeptide shown in Figure 152 (SEQ ID NO:271), lacking its associated signal peptide;
- (c) a nucleic acid sequence encoding the extracellular domain of the polypeptide shown in Figure 152 (SEQ ID NO:271);
- (d) a nucleic acid sequence encoding the extracellular domain of the polypeptide shown in Figure 152 (SEQ ID NO:271), lacking its associated signal peptide;
  - (e) the nucleic acid sequence shown in Figure 151 (SEQ ID NO:270);

- (f) the full-length coding sequence of the nucleic acid sequence shown in Figure 151 (SEQ ID NO:270); or
- (g) the full-length coding sequence of the cDNA deposited under ATCC accession number 203277.
- 31. (New) The isolated nucleic acid of Claim 28 having at least 95% nucleic acid sequence identity to:
- (a) a nucleic acid sequence encoding the polypeptide shown in Figure 152 (SEQ ID NO:271);
- (b) a nucleic acid sequence encoding the polypeptide shown in Figure 152 (SEQ ID NO:271), lacking its associated signal peptide;
- (c) a nucleic acid sequence encoding the extracellular domain of the polypeptide shown in Figure 152 (SEQ ID NO:271);
- (d) a nucleic acid sequence encoding the extracellular domain of the polypeptide shown in Figure 152 (SEQ ID NO:271), lacking its associated signal peptide;
  - (e) the nucleic acid sequence shown in Figure 151 (SEQ ID NO:270);
- (f) the full-length coding sequence of the nucleic acid sequence shown in Figure 151 (SEQ ID NO:270); or
- (g) the full-length coding sequence of the cDNA deposited under ATCC accession number 203277.
- 32. (New) The isolated nucleic acid of Claim 28 having at least 99% nucleic acid sequence identity to:
- (a) a nucleic acid sequence encoding the polypeptide shown in Figure 152 (SEQ ID NO:271);
- (b) a nucleic acid sequence encoding the polypeptide shown in Figure 152 (SEQ ID NO:271), lacking its associated signal peptide;

- (c) a nucleic acid sequence encoding the extracellular domain of the polypeptide shown in Figure 152 (SEQ ID NO:271);
- (d) a nucleic acid sequence encoding the extracellular domain of the polypeptide shown in Figure 152 (SEQ ID NO:271), lacking its associated signal peptide;
  - (e) the nucleic acid sequence shown in Figure 151 (SEQ ID NO:270);
- (f) the full-length coding sequence of the nucleic acid sequence shown in Figure 151 (SEQ ID NO:270); or
- (g) the full-length coding sequence of the cDNA deposited under ATCC accession number 203277.
  - 33. (New) An isolated nucleic acid comprising:
- (a) a nucleic acid sequence encoding the polypeptide shown in Figure 152 (SEQ ID NO:271);
- (b) a nucleic acid sequence encoding the polypeptide shown in Figure 152 (SEQ ID NO:271), lacking its associated signal peptide;
- (c) a nucleic acid sequence encoding the extracellular domain of the polypeptide shown in Figure 152 (SEQ ID NO:271);
- (d) a nucleic acid sequence encoding the extracellular domain of the polypeptide shown in Figure 152 (SEQ ID NO:271), lacking its associated signal peptide;
  - (e) the nucleic acid sequence shown in Figure 151 (SEQ ID NO:270);
- (f) the full-length coding sequence of the nucleic acid sequence shown in Figure 151 (SEQ ID NO:270); or
- (g) the full-length coding sequence of the cDNA deposited under ATCC accession number 203277.
- 34. (New) The isolated nucleic acid of Claim 33 comprising a nucleic acid sequence encoding the polypeptide shown in Figure 152 (SEQ ID NO:271).

- . 35. (New) The isolated nucleic acid of Claim 33 comprising a nucleic acid sequence encoding the polypeptide shown in Figure 152 (SEQ ID NO:271), lacking its associated signal peptide.
- 36. (New) The isolated nucleic acid of Claim 33 comprising a nucleic acid sequence encoding the extracellular domain of the polypeptide shown in Figure 152 (SEQ ID NO:271).
- 37. (New) The isolated nucleic acid of Claim 33 comprising a nucleic acid sequence encoding the extracellular domain of the polypeptide shown in Figure 152 (SEQ ID NO:271), lacking its associated signal peptide.
- 38. (New) The isolated nucleic acid of Claim 33 comprising the nucleic acid sequence shown in Figure 151 (SEQ ID NO:270).
- 39. (New) The isolated nucleic acid of Claim 33 comprising the full-length coding sequence of the nucleic acid sequence shown in Figure 151 (SEQ ID NO:270).
- 40. (New) The isolated nucleic acid of Claim 33 comprising the full-length coding sequence of the cDNA deposited under ATCC accession number 203277.
  - 41. (New) An isolated nucleic acid that hybridizes to:
- (a) a nucleic acid sequence encoding the polypeptide shown in Figure 152 (SEQ ID NO:271);
- (b) a nucleic acid sequence encoding the polypeptide shown in Figure 152 (SEQ ID NO:271), lacking its associated signal peptide;

- (c) a nucleic acid sequence encoding the extracellular domain of the polypeptide shown in Figure 152 (SEQ ID NO:271);
- (d) a nucleic acid sequence encoding the extracellular domain of the polypeptide shown in Figure 152 (SEQ ID NO:271), lacking its associated signal peptide;
  - (e) the nucleic acid sequence shown in Figure 151 (SEQ ID NO:270);
- (f) the full-length coding sequence of the nucleic acid sequence shown in Figure 151 (SEQ ID NO:270); or
- (g) the full-length coding sequence of the cDNA deposited under ATCC accession number 203277.
- 42. (New) The isolated nucleic acid of Claim 41, wherein said hybridization occurs under stringent conditions.
- 43. (New) The isolated nucleic acid of Claim 41 which is at least 10 nucleotides in length.
  - 44. (New) A vector comprising the nucleic acid of Claim 28.
- 45. (New) The vector of Claim 44, wherein said nucleic acid is operably linked to control sequences recognized by a host cell transformed with the vector.
  - 46. (New) A host cell comprising the vector of Claim 44.
- 47. (New) The host cell of Claim 46, wherein said cell is a CHO cell, an *E. coli* or a yeast cell.--

The first of the first of the second of the first of the

Patent Docket P2830P1C58

#### **REMARKS**

Claims 1-27 have been cancelled. New Claims 28-47 have been added. Applicants respectfully request early entry of these new claims for prosecution in this application. The Examiner is invited to contact the undersigned at (650)225-4563 if any issues may be resolved in that manner.

Attached hereto is a marked-up version of the changes made to the and by the current amendment. The attached page is captioned "Version with markings to show changes made."

Respectfully submitted,

GENENTECH, INC.

Date: December 12, 2001

Elizabeth M. Barnes

Reg. No. 35,059

Telephone: (650) 225-4563

PATENT TRADEMARK OFFICE

# **VERSION WITH MARKINGS TO SHOW CHANGES MADE**

# In the specification:

A new paragraph beginning at page 1, line 2 has been added.

# In the claims:

Claims 1-27 have been cancelled.

Claims 28-47 have been added.